

**REMARKS**

Claims 1-29 are pending in this application, claims 12-25 having been withdrawn from consideration. By this Amendment, the specification and claims 1, 10 and 26 are amended and new claims 27-29 are added. Support for the amendments to the specification can be found, for example, in at least Figures 4 and 5 as originally filed. These amendments merely provide descriptions of the Figures included in the original disclosure. Support for the amendments to claims 1 and 10 and for new claims 27-29 can be found in the specification as filed, for example on page 20, line 21 through page 21, line 11 and in claims 1, 10 and 26 as originally filed. Claim 26 is amended merely to correct typographical errors. Thus, no new matter is added by these amendments.

The courtesies extended to Applicants' representative by Examiner King at the interview held July 3, 2003, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

**I. Rejections Under 35 U.S.C. §112, First Paragraph**

The Office Action rejects claims 1-11 and 26 under 35 U.S.C. §112, first paragraph, as containing subject matter not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention at the time the application was filed. Applicants respectfully traverse this rejection.

Specifically, the Office Action states that the original disclosure does not provide antecedent basis for the term "physical" and that it is unclear what the addition of the word is intended to convey. By this Amendment, claims 1, 10 and 26 are amended to delete the term "physical."

Thus, Applicants respectfully submit that claims 1-11 and 26, and new claims 27-29, are in condition for allowance. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

## **II. Rejections Under 35 U.S.C. §103(a)**

### **A. Claims 1, 2, 4-8, 10 and 11**

The Office Action rejects claims 1, 2, 4-8, 10 and 11 under 35 U.S.C. §103(a) over U.S. Patent 5,952,799 to Maisch et al. in view of U.S. Patent 5,979,999 to Poertzgen et al. Applicants respectfully traverse this rejection.

Amended claim 1 sets forth, in pertinent part, "[a] brake fluid pressure control device, comprising ... a fluid pressure control unit ... wherein the fluid pressure control unit includes a first linear valve device including at least one of the plurality of fluid pressure control valves, and a second linear valve device including the rest of the plurality of fluid pressure control valves, and if one of a first control system including the first connector and the first linear valve device, and a second control system including the second connector and the second linear valve device falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second control systems which does not fall into the abnormal condition, rather than the connector of the other of the first and second control systems which falls into the abnormal condition." Likewise, amended claim 10 sets forth, in pertinent part, "[a] brake fluid pressure control device, comprising: a plurality of operation state detectors ... wherein the plurality of operation state detectors are divided into a first detector group and a second detector group, wherein if one of a first unit including the first connector, the first signal line group and the first detector group, and a second unit including the second connector, the second signal line group and the second detector group falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second units which does not fall into the abnormal condition, rather than

the connector of the other of the first and second units which falls into the abnormal condition."

As discussed during the February 12 and July 3 personal interviews, Maisch and Poertzgen, alone or in combination, fail to disclose or suggest a brake fluid pressure control device, wherein if one of a first control system including the first connector and the first linear valve device, and a second control system including the second connector and the second linear valve device falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second control systems which does not fall into the abnormal condition. Claim 1 has been amended to explicitly recite such a feature, and claim 10 has been amended to set forth a similar feature relating to units comprising connectors and signal line groups. Because claims 1 and 10 and their dependent claims set forth at least these limitations that are not taught, disclosed or suggested by Maisch and Poertzgen, alone or in combination, claims 1, 2, 4-8, 10 and 11 would not have been obvious over Maisch in view of Poertzgen.

Thus, Applicants respectfully submit that claims 1, 2, 4-8, 10 and 11 and new claims 27-29 are patentable over Maisch in view of Poertzgen. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

**B. Claims 1-8, 10-11 and 26**

The Office Action rejects claims 1-8, 10-11 and 26 under 35 U.S.C. §103(a) over Maisch in view of WO 98/28174 to Jonner et al. Applicants respectfully traverse this rejection.

Amended claim 1 sets forth, in pertinent part, "[a] brake fluid pressure control device, comprising ... a fluid pressure control unit ... wherein the fluid pressure control unit includes a first linear valve device including at least one of the plurality of fluid pressure control valves, and a second linear valve device including the rest of the plurality of fluid

pressure control valves, and if one of a first control system including the first connector and the first linear valve device, and a second control system including the second connector and the second linear valve device falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second control systems which does not fall into the abnormal condition, rather than the connector of the other of the first and second control systems which falls into the abnormal condition." Likewise, amended claim 10 sets forth, in pertinent part, "[a] brake fluid pressure control device, comprising: a plurality of operation state detectors ... wherein the plurality of operation state detectors are divided into a first detector group and a second detector group, wherein if one of a first unit including the first connector, the first signal line group and the first detector group, and a second unit including the second connector, the second signal line group and the second detector group falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second units which does not fall into the abnormal condition, rather than the connector of the other of the first and second units which falls into the abnormal condition." Amended claim 26 sets forth, in pertinent part, "[a] brake fluid pressure control device ... wherein ... the brakes are divided such that at least one signal line connected to at least one fluid pressure control valve corresponds to the brakes provided in diagonally located wheels, and a first fluid passage connects the fluid pressure control valves corresponding to a front-left brake and a front-right brake, and a second fluid passage connects the fluid pressure control valves corresponding to a rear-left brake and a rear-right brake." New claims 27-29 set forth similar limitations.

As discussed above, Maisch does not disclose, teach or suggest a brake fluid pressure control device wherein if one of a first control system including the first connector and the first linear valve device, and a second control system including the second connector and the second linear valve device falls into an abnormal condition,

at least one of the brakes is controlled via the connector of one of the first and second control systems which does not fall into the abnormal condition, as in claims 1 and 27. Similarly, Maisch does not disclose, teach or suggest a brake fluid pressure control device, wherein if one of a first unit including the first connector and the first signal line group, and a second unit including the second connector and the second signal line group falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second units which does not fall into the abnormal condition, as in claims 10 and 28, or a brake fluid pressure control device such that at least one signal line connected to at least one fluid pressure control valve corresponds to the brakes provided in diagonally located wheels, and a first fluid passage connects the fluid pressure control valves corresponding to a front-left brake and a front-right brake, and a second fluid passage connects the fluid pressure control valves corresponding to a rear-left brake and a rear-right brake, as in claims 26 and 29.

Thus, Maisch alone would not have rendered claims 1-8, 10-11 and 26-29 obvious. Jonner does not remedy the defects of Maisch.

Jonner discloses a brake fluid pressure control device including a fluid pressure control unit with a plurality of control valves capable of controlling fluid pressures in a plurality of wheel brakes to inhibit rotation of a plurality of wheels. Jonner also discloses an auxiliary braking operation, employing muscle power in case of failure of the hydraulic braking system.

In contrast to claims 1 and 27, Jonner does not disclose, teach or suggest a brake fluid pressure control device wherein if one of a first control system including the first connector and the first linear valve device, and a second control system including the second connector and the second linear valve device falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second

control systems which does not fall into the abnormal condition. Similarly, Jonner does not disclose, teach or suggest a brake fluid pressure control device, wherein if one of a first unit including the first connector and the first signal line group, and a second unit including the second connector and the second signal line group falls into an abnormal condition, at least one of the brakes is controlled via the connector of one of the first and second units which does not fall into the abnormal condition, as in claims 10 and 28, or a brake fluid pressure control device such that at least one signal line connected to at least one fluid pressure control valve corresponds to the brakes provided in diagonally located wheels, and a first fluid passage connects the fluid pressure control valves corresponding to a front-left brake and a front-right brake, and a second fluid passage connects the fluid pressure control valves corresponding to a rear-left brake and a rear-right brake, as in claims 26 and 29.

Thus, Maisch and Jonner do not disclose, teach or suggest, alone or in combination, separately connecting signal line groups or linear valve devices, such that if one falls into an abnormal condition, at least one other functions to control at least one of the brakes.

Further, there is no motivation in Maisch or Jonner to combine these references to provide anything other than an additional manual-power auxiliary braking system to the system of Maisch. Even if Maisch and Jonner were properly combined, the combination would not produce a brake fluid pressure control device in accordance with claims 1-8, 10, 11 and 26-29.

Thus, Applicants respectfully submit that claims 1-8, 10, 11 and 26-29 are not obvious over Maisch in view of Jonner. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

### III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-29 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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